

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

EMZILE LEE WILBURN, )  
                          )  
Plaintiff,            )  
                          )  
vs.                    )                          No. 4:07-CV-2043 MLM  
                          )  
CITY OF ST. LOUIS, et al., )  
                          )  
                          )  
Defendants.           )

**ORDER**

This matter is before the Court on plaintiff's motion to proceed in forma pauperis on appeal. The motion will be denied because plaintiff has incurred more than three strikes under 28 U.S.C. § 1915(g).<sup>1</sup> Consequently, the Court shall order plaintiff to pay the filing fee.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis on appeal is **DENIED**.

**IT IS FURTHER ORDERED** that within thirty (30) days from the date of this order, plaintiff shall pay to this Court the full \$455 filing and docketing fees for filing an appeal. Plaintiff is instructed to make his remittance payable to "Clerk, United

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<sup>1</sup>Wilburn v. Friscella, 4:07CV705 RWS (E.D. Mo.); Wilburn v St. Louis, 4:07CV1444 DJS (E.D. Mo.); Wilburn v. St. Louis, 4:07CV2043 MLM (E.D. Mo.).

States District Court," and to include upon it: (1) his name; (2) his prison identification number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.

**IT IS FURTHER ORDERED** that plaintiff shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 21st Day of July, 2008.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE